

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous  
Fuels and Fire Rehabilitation Actions**

**Boulder Creek Study Site #2 Exclosure  
DOI-BLM-AZ-P010-2011-049-CX**

**A. Background**

BLM Office: *Hassayampa Field Office (HFO)*

Lease/Serial/Case File No.: N/A

Proposed Action Title/Type: **Boulder Creek Study Site #2 livestock exclosure.**

Location of Proposed Action: **T8N R2E S8 SWNW NAD83 390465E 3768641N**

Description of Proposed Action: Installation of a small (10'X10') grazing exclosure at the existing vegetation survey site, in order to gauge utilization, growth, and vegetation community changes in the area. The exclosure will consist of 4 T-posts spaced 10' apart, conforming to BLM design specifications for a 3 wire fence, found in BLM's Fencing Handbook, #1741-1.

**B. Land Use Plan Conformance**

Land Use Plan (LUP) Name: **Bradshaw-Harquahala Approved Resource  
Management Plan**

Date Approved/Amended: **4/22/2010**

☐ The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

☒ The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

**GM-8: Inventory and/or monitoring studies are used to determine if adjustments to permitted use levels, terms and conditions, and management practices are necessary in order to meet and/or make significant progress towards meeting the Arizona Standards for Rangeland Health and other management objectives.**

Construction of the exclosure will assist in monitoring on the allotment by allowing for a small comparison area without grazing effects adjacent to the established photoplot.

**C: Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.5:

**516 DM 11.5(H)(9): Construction of small protective enclosures including those to protect reservoirs and springs and those to protect small study areas.**

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 or 516 DM 11.5 apply.

I considered: Recreational activities: the study site is set back from the road and will not interfere with legal access. The Black Canyon Trail is east of the study site, across a narrow canyon, and the study site is not visible for most of the trail route. The small size of the enclosure and the proposed location on the hillslope makes it unlikely to affect any recreational activities in the area. Archeological resources: a records search was conducted and showed no recorded sites in the immediate vicinity of the proposed project area. A staff archeologist will inspect the site prior to construction to assure no cultural resources are affected.

#### **D: Signature**

**Review:** *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects (see Attachment 1). Therefore, it is categorically excluded from further environmental review.*

**Prepared by:** \_\_\_\_\_/s/\_\_\_\_\_

**James Holden  
Project Lead**

**Reviewed by:** \_\_\_\_\_/s/\_\_\_\_\_

**Leah Baker  
Planning & Environmental Coordinator**

**Approved by:** \_\_\_\_\_/s/\_\_\_\_\_

**Steven Cohn  
Manager**

#### **Contact Person**

For additional information concerning this CX review, contact:

**James Holden, Rangeland Management Specialist, Hassayampa Field Office**

**Note:** A separate decision document must be prepared for the action covered by the CX.

BLM Categorical Exclusions: Extraordinary Circumstances<sup>1</sup>  
Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> There will be little to no public interaction with the enclosure due to its location and size.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> The proposed enclosure site does not lie within any special designation areas. It lies in an upland position and will not affect streamflow or the local aquifer. There are no wetlands in the vicinity. It will not affect migratory birds or any other areas.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> Installation of a small enclosure will not be the cause of any controversial environmental effects. There are no unresolved conflicts in the area concerning resource uses.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> Establishment of grazing enclosures and long-term study areas is common practice across BLM managed lands, and has no significant or uncertain environmental effects.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> Construction of this enclosure serves to inform future monitoring data, and will not establish precedent for future actions.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> The enclosure has a minor footprint and is not connected to any other action on site with potential environmental effects.

<sup>1</sup> If an action has any of these impacts, you must conduct NEPA analysis.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> Cultural records search completed, no historic properties or prehistoric sites within half a mile of project area.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> Project will not affect T&E species.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> Proposed project is in conformance with all applicable laws and regulations.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> No adverse effect to low income or minority populations is expected with the construction of this enclosure.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> The enclosure will not limit access to any public lands by public lands users.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Rationale:</b> The construction of a small enclosure will not contribute to noxious weeds within the area.

**Decision**  
**Attachment 2**

**Project Description:**

Installation of a small (10'X10') grazing enclosure at the existing vegetation survey site, in order to gauge utilization, growth, and vegetation community changes in the area. The enclosure will consist of 4 T-posts spaced 10' apart, conforming to BLM design specifications for a 3 wire fence, found in BLM's Fencing Handbook, #1741-1.

**Decision:** Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

**Administrative Review or Appeal Opportunities** This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at 21605 N 7<sup>th</sup> Ave, Phoenix AZ, 85027, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

**Standards for Obtaining a Stay**

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

**Approved By:** \_\_\_\_\_/s/\_\_\_\_by Rem Hawes\_\_\_\_\_ **Date:** \_\_7/15/2011\_\_\_\_\_  
**Steven Cohn**  
**Manager**

